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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/586,972

09/08/2006

Roelof Marissen

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9943

23117

7590

09/30/2009

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EXAMINER

MERENE, JAN CHRISTOP L

ART UNIT

PAPER NUMBER

3733

MAIL DATE

DELIVERY MODE

09/30/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/586,972	<b>Applicant(s)</b> MARISSSEN ET AL.	
	<b>Examiner</b> JAN CHRISTOPHER MERENE	<b>Art Unit</b> 3733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/25/2006</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

1. This is the initial Office action based on the 10/586,972 application filed on September 8, 2006, which is a 371 of PCT/EP05/00936 filed January 27, 2005, which also claims Foreign Priority to EP 04075277.6 filed January 30, 2004.

### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

#### **Content of Specification**

Art Unit: 3733

- (a) Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.
- (c) Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.
- (d) The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).
- (e) Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.
- (f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:
  - (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
  - (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."
- (g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward

Art Unit: 3733

the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

- (h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.
- (i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.
- (j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

Art Unit: 3733

- (l) Sequence Listing. See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

### ***Double Patenting***

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-12 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10 of U.S. Patent No. 7,582,088 in view of Nesper et al US 2004/0116961. Although the conflicting claims are not identical, they are not patentably distinct from each other because they recite the same features and elements (i.e, surgical cable, first and second fixing plate with holes, an outer edge and inner edge) and overlap in scope and subject matter. However, 7,582,088 does not disclose a groove and a ridge.

Nesper discloses a similar device with a first plate, second plate (as seen in Fig 4) with a cable (#74) and a groove and corresponding ridge (as seen in Fig 3-4), wherein the ridge is used for improved gripping (see paragraphs 47, 51).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify 7,582,088 to include the ridge and groove in view of Nesper because it helps improve gripping.

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “tensioning device” in claim 6 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New

Art Unit: 3733

Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. **Claims 1-12** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “a first resp. second central hole and a first resp. second ring surrounding first resp. second hole.” This statement use of the word “resp.” renders the claim unclear and indefinite. The examiner suggests use of the language –first and second “...” respectfully--.. Claim 1 recites “a first upward part” and “downward part” where it unclear if that part belongs to the first or second plate. Claim 1 also recites “a downward part outside said outer edge running in a direction opposite the upward part,” where it unclear if the applicant is referring to the first downward part or a different part. Claim 1 also recites “trajectory part,” which is indefinite since it appears that the trajectory part is not something physical but rather a path. For clarification purposes, the examiner suggests to use --trajectory path--.. The examiner notes that the use of reference characters is permissible but has no effect on the scope of the claims, see MPEP 608.01(m) second paragraph.



Claim 2 recites the limitation "part" in line 1-2. There is insufficient antecedent basis for this limitation in the claim. It is unclear which part the applicant is referring to. Claim 2 also recites "part running through the gap," where it is unclear if the applicant is referring to a different part or one of the trajectory parts recited in claim 1. It is also unclear what Claim 2 is actually claiming, if this is referring to the placement of the cable or just further defining different "parts" or portions of the first and second plates. The examiner appreciates the use of parenthetical referencing to help clarify the claims and the use of reference characters is permissible but has no effect on the scope of the claims, see MPEP 608.01(m) second paragraph.

Claim 3 recites the use of parenthetical referencing but as noted above and in MPEP 608.01(m) second paragraph, these limitations have no effect on the scope of the claims. Likewise, it is also unclear if the applicant is further limiting parts/portions of the plates or if he is claiming a trajectory/path for the placement of the cable. Claim 4 also has the same problem as claim 3. As such, these claims are further rendered unclear and indefinite.

Claim 6 recites the limitation "the other end" and "fixing rings" There is insufficient antecedent basis for this limitation in the claim. It is unclear which end the applicant is referring to.

Regarding claim 7, the phrase "in particular" is similar to that of "for example," which renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Art Unit: 3733

The examiner suggests rewriting the claim to state --Methods for trying bone parts together--.

Claim 10 recites "inner edge (of its ring (10 resp. 12))" which is unclear and indefinite. The examiner notes that the use of reference characters is permissible but has no effect on the scope of the claims, see MPEP 608.01(m) second paragraph.

As stated above, the examiner appreciates the use of parenthetical referencing to help clarify the claims and that the use of reference characters is permissible but has no effect on the scope of the claims, see MPEP 608.01(m) second paragraph. The applicant is urged to go through the claims omitting the parenthetical limitations and clear up any further 112 issues the applicant may come across.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 1-5, 7, 10-12** are rejected under 35 U.S.C. 102(e) as being anticipated by Nesper et al US 2004/0116961.

Regarding **Claim 1**, Nesper discloses a fixing device (as seen in Fig below) comprising:

Art Unit: 3733

a surgical cable having a first and a second end and (see fig below and paragraph 55)

at least a first and a second fixing plate each having a first and second central hole respectfully (as seen in Fig below and paragraph 47) and

a first and second ring surrounding said first and second hole respectfully (as seen in Fig below and paragraph 71),

the circumference of each fixing plate forming an outer edge of its ring and an inner edge of its ring being adjacent to the hole it surrounds (as seen in Fig below and ,

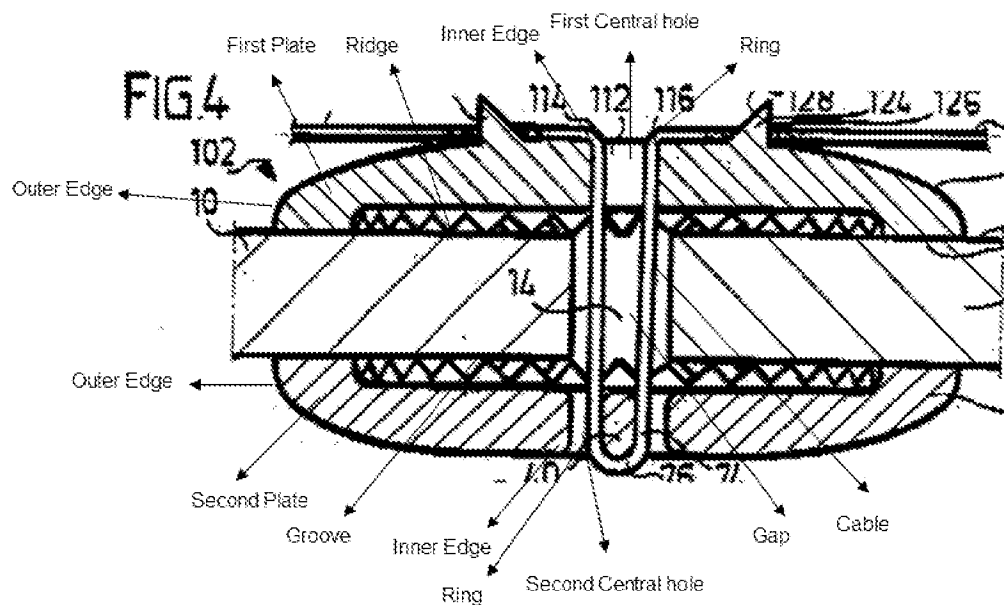
the first fixing plate being in a stacked position on top of the second plate leaving a gap between the plates and the holes at least partly overlapping each other (as seen in Fig below),

wherein in the ring of one of the fixing plates in its surface facing the other fixing plate a continuous groove is present running between the outer edge and the inner edge of said ring and in the ring of the other fixing plate in its surface facing the one of the fixing plates a ridge is present matching with said groove (as seen in Fig below and paragraph 51), and

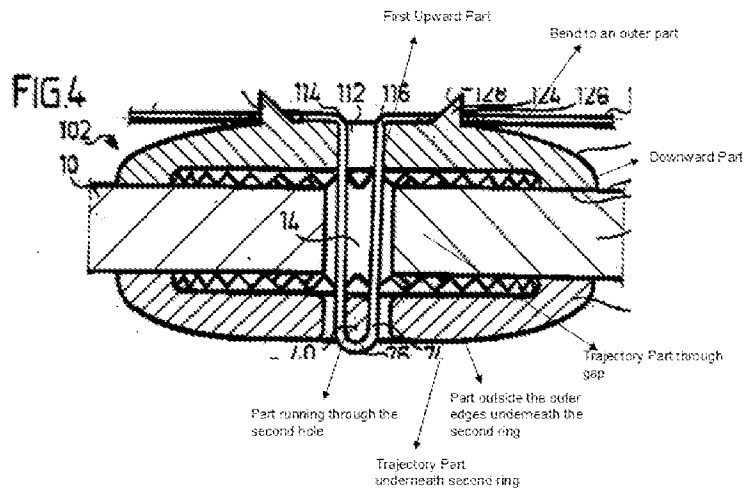
wherein at least one end of the cable following a continuous trajectory running as part from outside the outer edges underneath the second ring up to the second hole, bending upward into a first upward part running through the second and the first holes, a bend to an outward part running across the first ring in the direction of its outer edge, a downward part outside said outer edge running in a direction opposite to the upward part, a part running through the hole of the second ring, part at its one end being

Art Unit: 3733

connected to a trajectory part running through the gap between the fixing plates and at its other end being connected to a trajectory part running underneath the second ring, the other end of the cable also being connected to the fixing plates (see Fig below and paragraph 55, where one can place the cable in any number of configurations such as that listed above, if one chooses to do so).

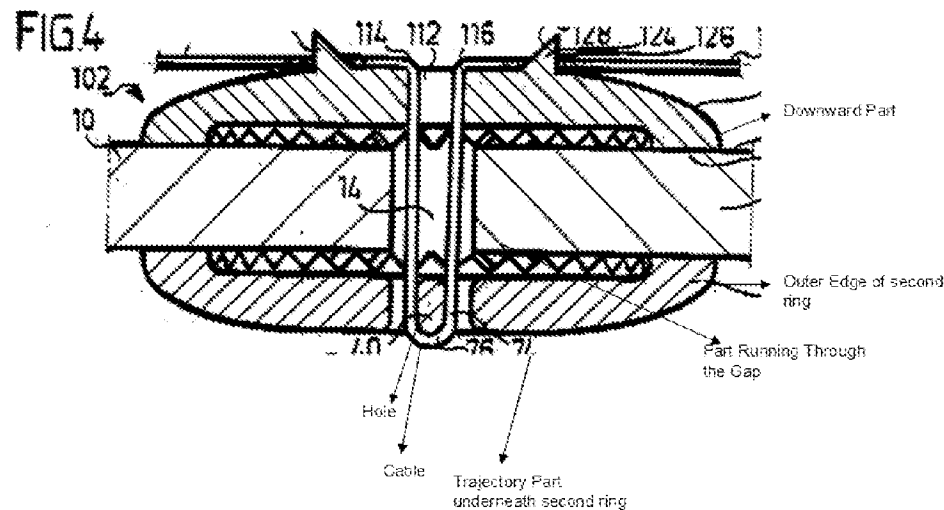


Art Unit: 3733



Regarding **Claim 2**, Nesper discloses wherein part further runs outside the outer edge of the second ring and is connected to one end of part through trajectory part running underneath the second ring from its outer edge to its hole and the other end of part is immediately connected to part running through the gap between the fixing plates in an outward direction and ending outside the plates in a cable end (see Fig below and above in claim 1 and the examiner notes that one can place the cable in any number of configurations such as that listed above and in claim 1, if one chooses to do so).

Art Unit: 3733



Regarding **Claim 3**, Nesper discloses wherein the trajectory parts are in the order (a), (b), (c), (e), (d), followed by trajectory part running underneath the second ring from the hole to the outer edge and ending outside the plates in a cable end (see Fig above in claim 1 and claim 2, the examiner notes that one can place the cable in any number of configurations such as that listed above and in claim 1, if one chooses to do so).

Regarding **Claim 4**, Nesper discloses wherein the cable can be connected to first upward part and the part underneath the second ring through an additional complete loop, beginning at the end of, running in an upward direction through holes and, then in an outward direction across the first ring, then in a downward direction along outer edges, then in an inward direction underneath the second ring and finally connecting to trajectory (see Fig above in claim 1 and 2, the examiner notes that one can place the cable in any number of configurations such as that listed above and in claim 1, if one chooses to do so).

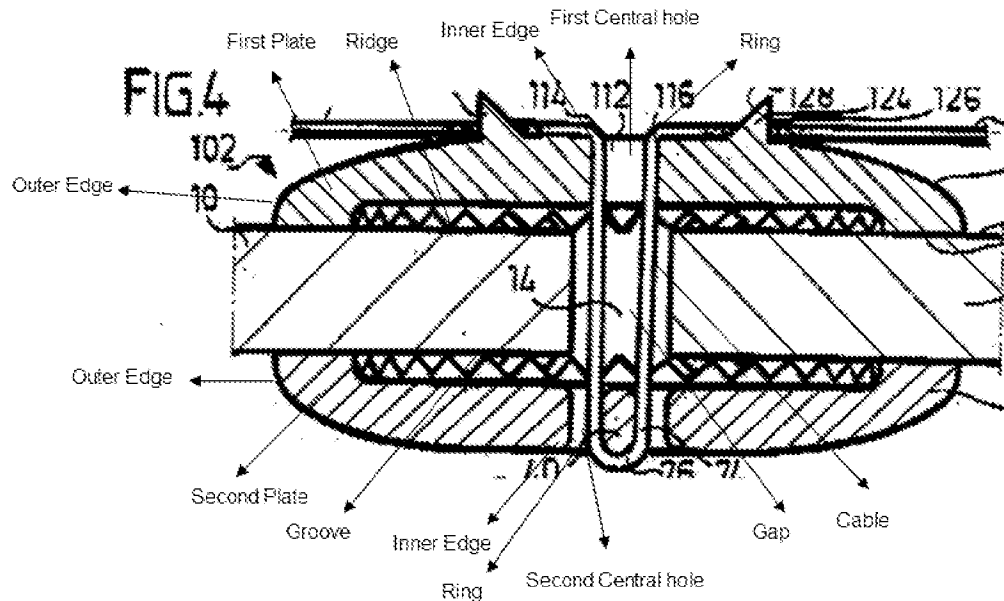
Regarding **Claim 5**, Nesper discloses the other end of the cable also follows one of said trajectories (see Fig above in claim 1 and 2, the examiner notes that one can place the cable in any number of configurations such as that listed above and in claim 1, if one chooses to do so).

Regarding **Claim 7**, Nesper discloses a method for tying objects together, in particular for fixing bone parts, comprising the steps of applying a fixing device according to claim 1 around the bone parts (#10, #12) to be fixed, followed by drawing the ends of the cable to tension the cable around the bone parts to the tension required to fix the bone parts (see paragraph 60, where the cable is tensioned, the examiner notes that the applicant is claiming the device of claim 1, wherein the device is the plates and the cable, wherein the placement of the cables as recited in claim 1 is merely functional and intended use, if the applicant wishes to claim the placement of the cables as recited in claim 1, then the applicant should include those steps in this claim).

Regarding **Claims 10-11**, Nesper discloses a set of two fixing plates each having a central hole and a ring surrounding said hole, the circumference of each fixing plate forming an outer edge of its ring and an inner edge of its ring being adjacent to the hole it surrounds, wherein in the ring of one of the fixing plates in its surface a continuous groove is present running between the outer edge and the inner edge of said ring and in the ring of the other fixing plate in its surface a ridge is present matching with said

Art Unit: 3733

groove, and a surgical cable fitted for constructing a fixing device (as seen in Fig below and paragraphs 47, 51, 55).



Regarding **Claim 12**, Nesper discloses a surgical cable (#74, see paragraph 55) prepared for application in a fixing device according to claim 1. (The examiner notes that the applicant is only claiming a cable and that the device of claim 1 is merely functional).

9. **Claims 1, 6, 9** are rejected under 35 U.S.C. 102(e) as being anticipated by Nesper et al US 2004/0116961.

Regarding **Claims 1, 6**, Nesper discloses a fixing device (as seen in Fig below) comprising:



Art Unit: 3733

a surgical cable having a first and a second end and (see fig below and paragraph 55)

at least a first and a second fixing plate each having a first and second central hole respectfully (as seen in Fig below and paragraph 47) and

a first and second ring surrounding said first and second hole respectfully (as seen in Fig below and paragraph 71),

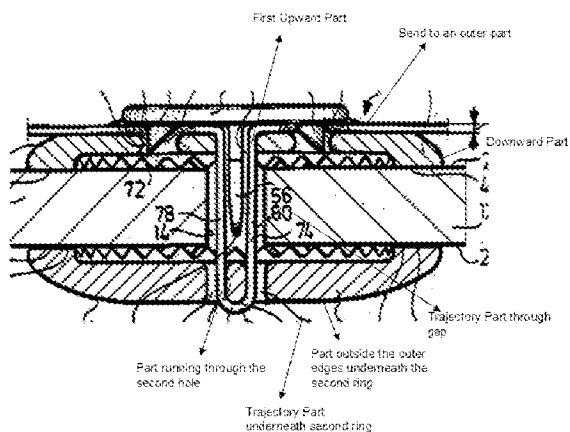
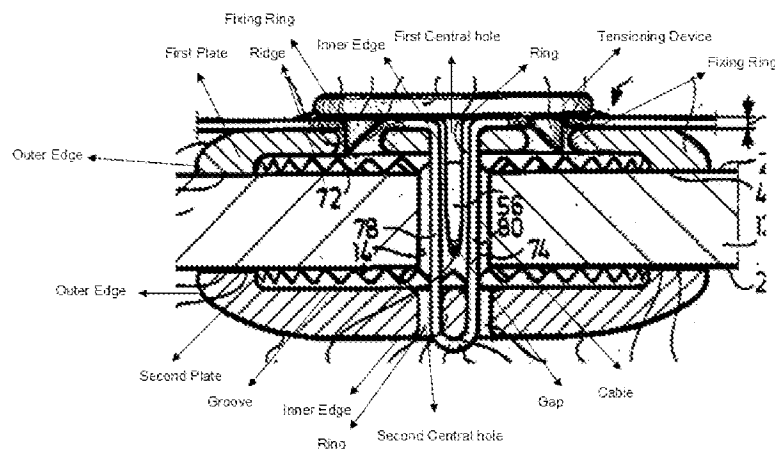
the circumference of each fixing plate forming an outer edge of its ring and an inner edge of its ring being adjacent to the hole it surrounds (as seen in Fig below and ,

the first fixing plate being in a stacked position on top of the second plate leaving a gap between the plates and the holes at least partly overlapping each other (as seen in Fig below),

wherein in the ring of one of the fixing plates in its surface facing the other fixing plate a continuous groove is present running between the outer edge and the inner edge of said ring and in the ring of the other fixing plate in its surface facing the one of the fixing plates a ridge is present matching with said groove (as seen in Fig below and paragraph 51), and

wherein at least one end of the cable following a continuous trajectory running as part from outside the outer edges underneath the second ring up to the second hole, bending upward into a first upward part running through the second and the first holes, a bend to an outward part running across the first ring in the direction of its outer edge, a downward part outside said outer edge running in a direction opposite to the upward part, a part running through the hole of the second ring, part at its one end being

connected to a trajectory part running through the gap between the fixing plates and at its other end being connected to a trajectory part running underneath the second ring, the other end of the cable also being connected to the fixing plates (see Fig below and paragraph 55, where one can place the cable in any number of configurations such as that listed above, if one chooses to do so), wherein the other end is fixed to a tensioning device (#50) that is connected to the fixing rings (as seen in Fig below).



Regarding **Claim 9**, Nesper discloses a method for tying together objects, in particular for fixing bone parts, comprising the steps of applying a bone fixing device according to

Art Unit: 3733

claim 6 around the bone parts to be fixed, followed by drawing said one end (see paragraph 59-60) of the cable to tension the cable around the bone and then tensioning the cable to the tension required to fix the bone parts by means of the tensioning device (see Fig above in Claim 1 and paragraph 60).

### ***Conclusion***

The prior art made of record and relied upon is considered pertinent to the applicant's disclosure. See PTO-892 for art cited of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAN CHRISTOPHER MERENE whose telephone number is (571)270-5032. The examiner can normally be reached on 8 am - 6pm Mon-Thurs, alt Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eduardo Robert can be reached on 571-272-4719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3733

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jan Christopher Merene/

Examiner, Art Unit 3733

/Eduardo C. Robert/

Supervisory Patent Examiner, Art Unit 3733